

Indiana Department of Environmental Management

Lori F. Kaplan, Commissioner

The Changing Face of Wetland Protection

Who protects Indiana's wetlands? For years, the Indiana Department of Environmental Management (IDEM) and the federal government shared this important task. Things changed on January 9th, 2001, when the U.S. Supreme Court ruled that the federal government could no longer regulate certain isolated wetlands. This effectively removes the federal government's authority under the Clean Water Act to protect these sensitive areas. This in turn creates a significant gap in protection of wetlands: IDEM estimates that more than 30% of Indiana's wetlands have lost federal protection. Wetlands in the northern portion of Indiana will be hardest hit by this case. We cannot stand by and allow this precious natural resource to be unprotected. In response, IDEM is taking action to insure all wetlands in Indiana are fully protected for future generations of Hoosiers.

Why should we be concerned about protecting wetlands? In the past, many people regarded wetlands as "wastelands", areas that had no useful purpose. As a result, many acres of wetlands have been destroyed in Indiana. There used to be over five million acres of wetlands in the state. We now know that just over 800,000 acres of wetlands remain. We have learned over time that wetlands contribute in remarkable ways to our quality of life and the well being of the environment:

- Wetlands recharge our groundwater; over 70% of Indiana residents rely on groundwater for part or all of their drinking water needs. Near Huntertown, in Allen County, geologists have shown that "isolated" wetlands in the area are actually directly connected to groundwater.
- Wetlands protect our homes from floods. Like sponges, wetlands soak up and slowly release floodwaters. This lowers flood heights and slows the flow of water down rivers such as the Ohio and the Wabash.
- Wetlands are home to wildlife. More than a third of our threatened and endangered species live only in wetlands, such as the globally rare dune and swale wetlands found along the Lake Michigan shore.

What is IDEM doing to protect Indiana's wetlands? On April 11, 2001, IDEM announced a series of measures designed to close the gap in protection of wetlands created by this case. IDEM will:

- Enforce our state water quality standards to protect all wetlands from harm.
- Develop interim mechanisms for regulating projects that might affect isolated wetlands and other related waterbodies.
- Create a new state permit system to regulate isolated wetlands and other related waterbodies that insures that these resources are protected and regulated in a fair and efficient manner.

We will have numerous opportunities for you to voice your opinions and we welcome your participation. We can not assume the federal government will protect our few remaining

wetlands. In fact, the Supreme Court stated clearly that the task of protecting isolated wetlands is the primary responsibility of the state. IDEM gladly accepts that responsibility. We face many challenges ahead, but I am confident that all Hoosiers want a better environment, for themselves and their children, and that is what we will work to give them.